

## FISCAL NOTE

### SB 3254

February 21, 2004

#### SUMMARY OF BILL:

1. Establishes covenant marriages as follows:
  - Parties must receive pre-martial counseling concerning the details of a covenant marriage;
  - Parties may contract a covenant marriage by declaring their intent to do so on their application for a marriage license and executing a declaration of intent to contract a covenant marriage;
  - Documentation shall be filed with the county clerk who issues the marriage license;
  - Previously married couples may execute a declaration of intent to designate their marriage as a covenant marriage and present it to the county clerk;
  - County clerks shall forward documentation regarding covenant marriage to the division of vital records of the Department of Health;
  - Division of vital records is required to provide a place for the designation of a marriage as a covenant marriage on the marriage certificate;
  - Unless judicially separated, spouses in a covenant marriage may not sue each other except for specified causes of action pertaining to contracts;
2. Requires the Secretary of State to promulgate an informational pamphlet detailing the *Covenant Marriage Act*.

#### ESTIMATED FISCAL IMPACT:

**Increase State Revenues - \$1,100 - Recurring**  
**Increase State Expenditures - Not Significant Recurring**  
**\$500 One-Time**  
**Increase Local Govt. Expenditures - Not Significant**

Estimate assumes:

- Department of Health will incur one-time costs to change marriage certificate form;
- Department of Health will charge an amendment fee of \$15 for marriage registration to be converted to a covenant marriage (70 annually based upon Arkansas experience);
- Local governments will have a not significant increase in expenditures for additional transactions involving marriage licenses;
- Secretary of State will have a not significant increase in state expenditures to produce a pamphlet.

#### CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

